

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY POWELL

Defendants.

No.: 2:13-00001

CHIEF JUDGE HAYNES

ORDER

*This motion is  
granted. The hearing  
is set for  
July 28, 2014  
at 3:00  
pm  
↓ all  
1817  
6-16-14*

AGREED MOTION TO CONTINUE SENTENCING HEARING

Defendant, Timothy Powell, by counsel, moves this Honorable Court to continue the sentencing hearing in this matter that is currently set on June 27, 2014 at 3:30 PM. This continuance is necessary because both parties require additional time for preparation.

On May 27, the undersigned counsel and AUSA Blanche Cook approached the Court at the conclusion of the plea hearing in the matter of co-defendant Teresa Powell and notified the Court that the sentencing hearing regarding Mr. Powell would be contested and each side intended to call several witnesses. Both parties further informed the Court that time was needed to prepare for the sentencing hearing and requested that it be set on July 28, 2014 at 10:00 AM.

Undersigned counsel has a number of motions that must be filed including motions under FRCP 17 to obtain evidence and subpoena witnesses. The undersigned counsel has concluded that it is unlikely that Mr. Powell's case can be properly prepared before July 28. Undersigned counsel's ability to prepare for Mr. Powell's sentencing hearing has been further delayed by the suicide of his oldest son on June 3. As a result, counsel was in Denver, Colorado from June 5 through June 11 and currently is preparing for his son's funeral that is scheduled for June 18.

Undersigned counsel has consulted with Assistant U. S. Attorney Hal McDonough and